| CERTIFICATE OF N  |                                  | Docket No.                        |              |                       |  |  |  |
|---|----------------------------------|-----------------------------------|--------------|-----------------------|--|--|--|
| Applicant(s): George H.   |                                  | MAC-7000P1                        |              |                       |  |  |  |
| Serial No.  | Filing Date                      | Examiner                          |              | Group Art Unit        |  |  |  |
| 10/004,149  | October 31, 2001                 | Keith D. Hendrick                 | :            | 1761                  |  |  |  |
|   | <u> </u>                         |                                   |              | <u> </u>              |  |  |  |
| Invertion: E Carbonated   | Fortified Milk-Based Beverage ar | nd Method for Suppressing         | Bacterial    |                       |  |  |  |
| JUN 0 7 2004 (4)  |                                  |                                   |              | A PACCA               |  |  |  |
| I hereby certify that this  | S Amendment and Response. T      | erminal Disclaimer and Peti       | tion for I   | Extension of Time     |  |  |  |
| I hereby certify that this Amendment and Response, Terminal Disclaimer and Petition for Extension of Time (Identify type of correspondence) |                                  |                                   |              |                       |  |  |  |
| is being deposited w  | ith the United States Postal S   | ervice as first class mail        | in an er     | nvelope addressed to: |  |  |  |
| Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on   |                                  | J                                 | June 3, 2004 |                       |  |  |  |
| •   |                                  |                                   |              | (Date)                |  |  |  |
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|   | Name of the American             | (Typed or Printed Name of Per     | Lorusso      |                       |  |  |  |
|   |                                  |                                   |              |                       |  |  |  |
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## TRANSMITTAL LETTER (General - Patent Pending)

Docket No. MAC-7000P1

ation Of: George H. Clark et al.

Serial No.

Filing Date

Examiner

Group Art Unit

10/004,149

October 31, 2001

Keith D. Hendricks

1761

Title: Carbonated Fortified Milk-Based Beverage and Method for Suppressing Bacterial Formation in the Beverage

## TO THE COMMISSIONER FOR PATENTS:

## Transmitted herewith is:

Amendment and Response

- Terminal Disclaimer to Obviate A Double Patenting Rejection Over a Prior Patent
- **Petition for Extension of Time**
- Certificate of Mailing dated June 3, 2004
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in the above identified application.

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  - is attached.
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22313-1450.

Mark D. Lorusso LORUSSO LOUD & KELLY LLP 15 Rye Street, Suite 312 **Pease International Tradeport** Portsmouth, NH 03801 Tel. 603-427-0070 Fax 603-427-5530

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| 0 1 2004 B                | TRANSMITTAL LETTER                                | , , , ,                          | Docket No.                |
|---------------------------|---|----------------------------------|---------------------------|
| 3                         | (General - Patent Pending) George H. Clark et al. |                                  | MAC-7000P1                |
| Serial No.<br>10/004,149  | Filing Date October 31, 2001                      | Examiner Keith D. Hendricks      | Group Art Unit            |
| Title: Carbonated Fort    | ified Milk-Based Beverage and Me                  | tnoa for Suppressing Bacterial I | formation in the Beverage |
| Transmitted herewith is:  | TO THE COMMISSION                                 | ONER FOR PATENTS:                | Δ                         |
| Amendment and Respo       | Obviate A Double Patenting Reject f Time          | tion Over a Prior Patent         | TO TO WEST                |
| in the above identified a | pplication.                                       |                                  | C.B                       |

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Mark D. Lorusso LORUSSO LOUD & KELLY LLP 15 Rye Street, Suite 312 Pease International Tradeport Portsmouth, NH 03801 Tel. 603-427-0070 Fax 603-427-5530

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